

KINGSWEAR PARISH COUNCIL
Minutes of the Extra Ordinary Meeting of the Council held remotely via Zoom
on Monday 8th March 2021 at 6.30pm

Present: Cllrs L Maurer (Chairman), B Longland, G Webber, E Jones, P Pudduck, H Newcombe, B Lowe, J Hacking.

In Attendance: Miss Sue Balsdon – Clerk to the Council.

1 member of public present.

C/162/20 – Welcome from the Chairman

The Chairman welcomed everyone to the meeting.

C/163/20 – To receive any apologies for absence from the Meeting.

Cllrs P Burnell, J Hawkins.

C/164/20 - To receive any Declaration of Interest. [Councillors are also reminded that they must register any new interest or change in any interest already registered within 28 days of that new interest or change].

None.

C/165/20 - To consider and agree future actions with regards formal complaint received in respect of:

i) Decision Making.

Complaint: Planning decisions seemingly being taken with the majority of the committee having not had prior reading of the facts. On occasions Mr Newcombe is the only committee member who seems to have priorly read and digested the applications and therefore seems to be advising the committee. The committee in general seem to have no formal decision making tool to apply when reaching application decisions, and look like they are on occasions, somewhat confused as to which particular application they are reviewing and appear to guess.'

The following points were raised by Councillors in respect of the complaint:

All Councillors receive prior notification, of the applications to be considered at each meeting and carry out their own research regarding each application, using the South Hams and West Devon Planning Search tool.

Covid-19 has caused some changes to the way Parish Councillors are able to assess planning applications. A site visit meeting would ordinarily be held for each planning application prior to the meeting, but unfortunately these have not taken place since the start of the pandemic. Some Councillors have opted to carry out a site visit, if the property or location can be viewed from a public footpath or land adjacent to the site.

Also prior to Covid-19, the plans for each application, would be viewed at face to face planning meetings using an overhead projector, but the Council have been unable to do this whilst holding virtual meetings.

Councillors were asked whether they felt they were adequately equipped to make decisions on planning matters. It was felt that they had received adequate training, that they had access to all the relevant planning documents and where it was possible, site meetings have been held. Cllr Newcombe as Chairman of the Planning Committee, leads discussion due to his years of experience and knowledge.

Going forwards, it was agreed that if Councillors felt they required clarification regarding a planning application, then additional information would be sought, prior to the submission of the Parish Council's response to the Planning Authority. Councillors also agreed to hold a separate planning committee meeting, prior to full Council, if the number of planning applications exceeded five or that the applications being discussed warranted additional time spent in their consideration.

ii) Submission of Questions.

Complaint: It is observed that Members of the public are routinely and on occasions, somewhat rudely interpreted by members of planning committee, before the public member has had often had chance to complete asking their lawful questions. Planning committee members seemingly making, on occasions, some derogatory comments to the public members, belittling their concerns, giving incomplete answers and not barely following factual information.

Some of the public questions are allowed to be put forward and continue well beyond the allotted 3 minute time limit for submission of a question. Coincidentally, it is noticed that questions that exceeded the three minute allocation, appeared to be relatively straightforward questions and of a complimentary manner to the committee. By way of a further coincidence, questions of a more diverse nature, or appertaining to being less of a complimentary nature to the committee, are halted very decisively at the immediate expiration of the allotted three minutes. Questions are not always responded to during the meeting, a common response being "we will get back to you". We would query therefore as to why questions are required to be submitted in advance of the meeting if they cannot at least receive some part of a response in the duration of the meeting. We would hope that it is not the case that the questions need to be submitted ahead of the meeting so that the committee are therefore able to "cherry pick" the questions that they wish to discuss ahead of possibly the less desirous questions that they may not be so keen on. We would be concerned if the more ostensibly easier questions are prioritised over others. It is a little alarming that if some questions receive priority over others, and if some questioners exceed the three minute allocation, this could result in the 20 minute total allocation provided by the committee, reaching its expiration resulting in some questions not even being heard.'

The Clerk read out an extract of the Parish Council's standing orders, in respect of protocol for the public session:

'The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 20 minutes unless directed by the chairman of the meeting.

Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.

In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.'

The Clerk advised that the Galmpton Residents Association have submitted questions prior to each Full Council meeting and that a response from South Hams District Council had been obtained in answer to the questions raised. Unfortunately, prior to the February meeting, the Clerk had sought clarification from the District Council regarding the planning application, to which the Resident Association's question referred to, but had not yet received a reply. Although the GRA had submitted their question prior to the meeting, unfortunately, due to the number of residents wishing to speak, the time allocated for the public session had almost run out, when the GRA's question was put to the Council.

Councillors agreed that at future meetings, if the Clerk is made aware that members of public wish to speak during the public session, a record of their names will be kept and they will be called in order, of when their request was received by the Clerk.

If written questions are received in advance of the meeting, it may be that the Parish Council are able to offer a response if the required information has been sought. If questions are not provided in advance, then members of the public are to be made aware, that Councillors may be unable to answer those questions and that a response will be given at a later date.

Cllr Newcombe reported to the Council, with regards a telephone call he received from the Chairman of the Galmpton Residents Association, during the February Full Council meeting. Cllr Newcombe advised that the Chairman had spoken to him in an aggressive manner and had used foul language. Councillors agreed that this behavior was completely unacceptable and that a letter should be sent to the Chairman of Galmpton Residents Association regarding this matter.

By Order of the Council

Sue Balsdon

Sue Balsdon
Clerk to the Council

The Meeting ended at 7.15 pm.

Minutes Approved: Councillor L Maurer – Chairman